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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,590	10/01/2003	Sig Harold Badt JR.	8A25.1-160	7975
76878      7590      12/16/2008 Gardner Groff Greenwald and Villanueva, PC 2018 Powers Ferry Road Suite 800 Atlanta, GA 30339				
EXAMINER				
PULLIAS, JESSE SCOTT				
ART UNIT		PAPER NUMBER		
2626				
MAIL DATE		DELIVERY MODE		
12/16/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/676,590

**Applicant(s)**

BADT, SIG HAROLD

**Examiner**

JESSE S. PULLIAS

**Art Unit**

2626

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 September 2008.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 4, 5, 8, 11, 12, 15, 18 and 19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1, 4, 5, 8, 11, 12, 15, 18, 19 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This office action is in response to correspondence filed 09/02/08 regarding application 10/676590, in which claims 1, 8, and 15 were amended and claims 2, 6, 9, 13, 16, and 20 were cancelled. Claims 1, 4, 5, 8, 11, 12, 15, 18, and 19 are pending in the application and have been considered.

***Response to Arguments***

2. Applicant's arguments on pages 5 and 6 of the Remarks regarding the claim rejections under 35 U.S.C. 103(a) have been considered but are moot in view of the new ground(s) of rejection, which are necessitated by the newly added limitation "a form having a plurality of pull-down menu fields for user input" in lines 5-6 of claim 1, which raises new issues since the previous dependent claim 6 only required "the graphical user interface displays the list of recognized input terms in a pull-down menu". Claims 8 and 15 contain similar limitations.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4, 5, 8, 11, 12, 15, 18, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Vanbuskirk et al. (6,308,157).

Consider claim 1, Vanbuskirk discloses a computer interface system (**Fig 1**), comprising a microphone (**Fig 1, element 22**) that receives audio input from a user, a speech recognition mechanism (**Fig 2, speech recognition system 30**) that includes a predefined dictionary having a plurality of recognized input terms and commands (**Col 4 lines 30-31, control commands**), and a user interface (**Fig 5**), wherein the user interface provides a form having a plurality of pull-down menu fields for user input (**Col 6-7 lines 66-5, Fig 5**), wherein upon selection of one field and receipt of a recognized command spoken by the user (**Col 5 lines 22-23**), the user interface displays a list of recognized input terms in a pull-down menu that are appropriate for input into the selected field (**Col 6 lines 17-18, Fig 5**), wherein upon receipt of an appropriate recognized input term for the selected field, the system automatically selects the next field for user input (**Col 5 lines 30-35, Fig 4, system flow returns to step 50**).

Consider claim 8, Vanbuskirk discloses a computer program product in a computer readable medium for use in a computer interface system (**Fig 1**), the computer program product comprising instructions for displaying a user interface to the user (**Fig 5**), wherein the user interface provides a form including a plurality of pull-down menu fields for user input (**Col 6-7 lines 66-5**), instructions for receiving a selection of a field for user input (**Fig 4, step 50**), instructions for providing a list of recognized input terms for the selected field in a pull-down menu (**Col 6 lines 17-18**), instructions for receiving audio input in the form of at least one word from the list from a user, instructions for recognizing the at least one word as an input term or a command (**Col 5**

**lines 22-23**), instructions for causing the user interface to display a list of recognized input terms for inputting into the selected field if the inputted word is recognized as a command (**Col 6 lines 17-18**), instructions for completing the selected field with the input term and instructions for automatically selecting the next field for user input upon receipt of a recognized input term (**Col 5 lines 30-35, Fig 4**, system flow returns to step 50).

Consider claim 15, Vanbuskirk discloses a method for verbally completing a form on a computer, the method comprising the computer implemented steps of displaying a user interface to the user (**Fig 5**), wherein the user interface provides a form including a plurality of pull-down menu fields for user input (**Col 6-7 lines 66-5**), receiving a selection of a field for user input (**Fig 4**, step 50), providing a list of recognized input terms in a pull-down menu for the selected field (**Col 6 lines 17-18**), receiving audio input in the form of at least one word from the user for the selected field, if the inputted word is recognized as a command (**Col 5 lines 22-23**), then causing the user interface to display a list of recognized input terms for inputting into the selected field (**Col 6 lines 17-18**), if the inputted word is recognized as an input term, then completing the selected field with the input term (**Col 5 lines 33-35**); wherein upon receipt of a recognized input term for the selected field, automatically selecting the next field for user input (**Col 5 lines 30-35, Fig 4**, system flow returns to step 50).

Consider claims 4, 11, and 18, Vanbuskirk discloses outputting an audio prompt that prompts the user to speak a recognized input term (**Col 6 lines 19-20**).

Consider claims 5, 12, and 19, Vanbuskirk discloses displaying a second user interface window upon receipt of a second command (**Col 6 lines 55-65**).

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- a. 5,890,122 Van Kleeck et al. disclose voice controlled computer displaying application menu and list of available commands
  - b. 6,085,159 Ortega et al. disclose displaying voice commands available for recognition

- c. 6,173,266 Marx et al. disclose a system for developing interactive speech application that displays available commands for speech recognition
  - d. 6,342,903 Fado et al. discloses displaying available commands for speech recognition
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jesse Pullias whose telephone number is 571/270-5135. The examiner can normally be reached on M-F 9:00 AM - 4:30 PM.
8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571/272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571/270-6135.
9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jesse S Pullias/  
Examiner, Art Unit 2626

/David R Hudspeth/  
Supervisory Patent Examiner, Art Unit 2626